

IN THE CLAIMS:

1. (Cancelled)
2. (Cancelled)
3. (Currently Amended) The endoscopic suture apparatus according to claim 18 [[1]], wherein the holding member is deformable to change a size of the treatment space.
4. (Currently Amended) The endoscopic suture apparatus according to claim 18 [[1]], wherein the holding member has a first member and a second member which define the treatment space, and the first and second member are moved relative to each other to change a size of the treatment space.
5. (Currently Amended) An endoscopic suture apparatus comprising:
an endoscope including an insertion section;
a clamping member which is configured to move in a longitudinal direction of the insertion section and to clamp living tissues;
a puncture member having a sharp end for penetrating ~~which penetrates~~ the living tissues ~~while the clamping member clamps the living tissues;~~ [[and]]
a drive member which is configured to move the puncture member in a direction that intersects with the longitudinal direction of the insertion section, and to cause the puncture member to penetrate the living tissues;
a suturing element which penetrates the living tissues by a penetration of the puncture member into the living tissues and is kept in the living tissues in a penetrating state to suture the living tissues; and

an engaging portion provided at an end portion of the suturing element, the engaging portion engaging with the living tissues to keep the suturing state of the suturing element in the living tissues.

6. (Cancelled)

7. (Cancelled)

8. (Currently Amended) The endoscopic suture apparatus according to claim 21 [[7]], wherein the first holding member has a guide portion which guides the drive member in the same direction as the clamping member is moved, and a bent guide portion which guides the drive member in a direction intersecting with a direction in which the clamping member is moved.

9. (Currently Amended) The endoscopic suture apparatus according to claim 21 [[7]], wherein the second holding member has a receiving member which engages with the puncture member penetrating engaging portion of the suturing element which has penetrated through the living tissue.

10. (Original) The endoscopic suture apparatus according to claim 9, wherein the second holding member is configured to rotate away from the clamping member.

11. (Cancelled)

12. (Cancelled)

13. (Currently Amended) The endoscopic suture apparatus according to claim 22 [[12]], wherein the driving member has a sheath which is fixed to the endoscope by the

fixing member and an elongate member which travels in the sheath to move the puncture member.

14. (Cancelled)

15. (Cancelled)

16. (Currently Amended) The endoscopic suture apparatus according to claim 5 [[15]], wherein the driving member has a sheath which is fixed to the endoscope by the fixing member and an elongate member which travels in the sheath to move the puncture member.

17. (Previously Presented) The endoscopic suture apparatus according to claim 5, wherein the puncture member keeps its penetrating state when a suture treatment is finished.

18. (New) An endoscopic suture apparatus comprising:
an endoscope including an insertion section, the insertion section having a distal end and a proximal end;
at least one puncture member having a sharp tip for penetrating living tissues;
a holding member which holds the puncture member so that the puncture member is movable in a direction intersecting with a longitudinal direction of the insertion section, and which has a distal end portion and a proximal end portion, the distal end portion having an opening, and the proximal portion being attached to the distal end portion of the endoscope;

wherein the holding member forms a treatment space defined by the insertion section of the endoscope and the opening of the holding member,

a clamping member which is configured to clamp the living tissues and then pulls the living tissues into the treatment space;

wherein the clamping member outwardly projects from the opening through the treatment space so as to clamp the living tissues, and pulls the clamped living tissues into the treatment space so that the clamped living tissues are penetrated by the puncture member;

a drive member which is configured to move the puncture member in the direction intersecting with the longitudinal direction of the insertion section;

a suturing element which penetrates the living tissues by a penetration of the puncture element into the living tissues and is kept in the living tissues in a penetrating state to suture the living tissues; and

an engaging portion provided at an end portion of the suturing element, the engaging portion engaging with the living tissues to keep the suturing state of the suturing element in the living tissues.

19. (New) The endoscopic suture apparatus according to claim 18, wherein the puncture member is provided at the end portion of the suturing element, and which further comprises a receiving member configured to engage with the engaging portion of the suturing element;

wherein the puncture member and the suturing element are movable to a first position in the direction intersecting with the longitudinal direction of the insertion section of the endoscope across the treatment space from a second position in which they are not positioned in the treatment space, and the receiving member engages with the engaging

portion of the suturing element when the puncture member and the suturing element are moved to the first position.

20. (New) The endoscopic suture apparatus according to claim 5 which further comprises a first holding member provided on a distal end side of the insertion section of the endoscope, the first holding member being provided with the puncture member, drive member, and suturing element.

21. (New) The endoscopic suture apparatus according to claim 20 which further comprises a second holding member which is so positioned that the clamping member is located between the first and second holding members.

22. (New) The endoscopic suture apparatus according to claim 5 wherein the puncture member includes a hollow needle including an inner space and an opening communicating with the inner space, and the suturing element is accommodated in the inner space of the hollow needle so as to outwardly project from the opening thereof, and which further comprises a driver for the suturing element, which is inserted in the inner space of the hollow needle and movable along thereof to move the suturing element, wherein the driver is relatively moved against the hollow needle according to the movement of the hollow needle by the driver member to push the suturing element so that the suturing element is outwardly projected from the opening of hollow needle.

23. (New) The endoscopic suture apparatus according to claim 5 wherein there are provided a pair of puncture members which are extended in parallel with each other, and the suturing element has two parallel leg portions each of which is provided with said

engaging portion inserted in each of the puncture members, wherein the paired puncture members are simultaneously moved by the drive member.